



HJM

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
PONAKALA et al) Examiner: L. Wong
Application Serial No.: 09/465,402) Group Art Unit: 1761
Filed: December 17, 1999) May 8, 2003
For: N-[N-(3,3-DIMETHYLBUTYL)-L-
ASPARTYL]-L-PHENYLALANINE 1-
METHYL ESTER AS A SWEETENER IN
CHEWING GUM)
Mail Stop RCE
Commissioner for Patents
P.O. Box 1451
Alexandria, VA 22313-1450

"RECEIVED
MAY 14 2003
GROUP 1700

TRANSMITTAL OF RCE REQUEST, PRELIMINARY AMENDMENT, AND PETITION FOR
EXTENSION OF TIME

Sir:

Transmitted herewith is an RCE Request and Preliminary Amendment in the above-referenced case. Applicant hereby petitions for a 3 month extension of time to file these documents. Please charge the extension fee, as well as the fee for submission of the RCE Request, to Deposit Account 14-1451.

Respectfully submitted,

Jeffrey M. Hoster
Jeffrey M. Hoster
Attorney for Applicant
Reg. No. 32,240

The NutraSweet Company
200 World Trade Center
Merchandise Mart, Suite 936
Chicago, IL 60654
(312) 873-5019

05/12/2003 SSESHE1 00000113 141451 09465402
02 FC:1253 930.00 CH



CERTIFICATE OF MAILING BY EXPRESS MAIL

I certify that this Request for Continued Examination, Preliminary Amendment and fee are being deposited on May 8, 2003 with the U.S. Postal Service as "Express Mail Post Office to Addressee" service, label no. ET036154043US, under 37 C.F.R. 1.10 and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1451, Alexandria, VA 22313-1450.

Jeffrey M. Hoster
Signature of Person Mailing
Correspondence

Jeffrey M. Hoster
Typed Name of Person Mailing
Correspondence

RECEIVED
MAY 14 2003
GROUP 1700



S-9-03

PTO/SB/30 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

18 \$ RCE
100

**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

| | |
|-------------------------------|-------------------|
| <i>RECEIVED</i> | MAY 14 2003 |
| <i>GROUP 1700</i> | |
| <i>18 \$</i> | |
| <i>RCE</i> | |
| <i>100</i> | |
| Application Number | 09/465,402 |
| Filing Date | December 17, 1999 |
| First Named Inventor | Ponakala |
| Art Unit | 1761 |
| Examiner Name | L. Wong |
| Attorney Docket Number | C-464 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/ Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-1451

- i. RCE fee required under 37 CFR 1.17(e)
- ii. Extension of time fee (37 CFR 1.136 and 1.17)
- iii. Other _____

- b. Check in the amount of \$ _____ enclosed

- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------------|-----------------------------------|---------|
| Name (Print/Type) | Jeffrey M. Hoster | Registration No. (Attorney/Agent) | 32,240 |
| Signature | <i>Jeffrey M. Hoster</i> | Date | 5/18/03 |

CERTIFICATE OF MAILING OR TRANSMISSION EXPRESS MAIL CERTIFICATE ATTACHED

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | |
|-------------------|--|------|
| Name (Print/Type) | | Date |
| Signature | | |

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

05/12/2003 SSESHE1 00000113 141451 09465402

01 FC:1801 750.00 CH